

merchandise to be entered, withdrawn or otherwise dealt with. This notation should be so placed and so written that there will exist no possibility of confusing it with anything placed on the license at the time of its issuance. If the license in fact authorizes the entry, withdrawal or other transaction with regard to the merchandise, the director, or other authorized customs employee, shall verify the notation by signing or initialing it after first assuring himself that it accurately describes the merchandise it purports to represent. The license shall thereafter be returned to the person presenting it and the additional copy of the entry, withdrawal or other appropriate document shall be forwarded by the director to the Office of Foreign Assets Control, Treasury Department, Washington, DC 20220.

(c) Whenever a person shall present an entry, withdrawal or other appropriate document affected by this section and shall assert that no specific Foreign Assets Control license is required in connection therewith, the director of customs shall withhold action thereon and shall advise such person to communicate directly with the Office of Foreign Assets Control to request that instructions be issued to the director to authorize him to take action with regard thereto.

[40 FR 7651, Feb. 21, 1975, as amended at 57 FR 1387, Jan. 14, 1992. Redesignated at 62 FR 45101, Aug. 25, 1997]

### **Subpart I—Miscellaneous Provisions**

#### **§ 500.901 Paperwork Reduction Act notice.**

For approval by the Office of Management and Budget ("OMB") under the Paperwork Reduction Act of information collections relating to record-keeping and reporting requirements, to licensing procedures (including those pursuant to statements of licensing policy), and to other procedures, see § 501.901 of this chapter. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number assigned by OMB. The information collection requirement in § 500.602 has been approved by

the Office of Management and Budget and assigned control number 1505-0160.

[62 FR 45101, Aug. 25, 1997, as amended at 62 FR 64722, Dec. 9, 1997]

#### **APPENDIX A TO PART 500—QUALIFYING INTERNATIONAL INSTITUTIONS**

Asian Development Bank (ADB)  
Food and Agricultural Organization (FAO)  
International Bank for Reconstruction and Development (IBRD, the "World Bank")  
International Civil Aviation Organization (ICAO)  
International Development Association (IDA)  
International Finance Corporation (IFC)  
International Fund for Agricultural Development (IFAD)  
International Labor Organization (ILO)  
International Maritime Organization (IMO)  
International Monetary Fund (IMF)  
Multilateral Investment Guarantee Association (MIGA)  
UN Capital Development Fund (UNCDF)  
UN Children's Fund (UNICEF)  
UN Development Fund for Women (UNDFW)  
UN Development Program (UNDP)  
UN Economic & Social Commission for Asian and the Pacific (UNESCAP)  
UN Education, Scientific and Cultural Organization (UNESCO)  
UN Environment Program (UNEP)  
UN Food Program (UNFP)  
UN Industrial Development Organization (UNIDO)  
UN International Drug Control Program (UNIDCP)  
UN Population Fund (UNPF)  
World Health Organization (WHO)  
World Meteorological Organization (WMO)

[58 FR 68532, Dec. 28, 1993]

### **PART 501—REPORTING, PROCEDURES AND PENALTIES REGULATIONS**

#### **Subpart A—Relation of This Part to Other Parts in This Chapter**

Sec.

501.101 Relation of this part to other parts in this chapter.

#### **Subpart B—Definitions**

501.301 Definitions.

#### **Subpart C—Reports**

501.601 Records and recordkeeping requirements.  
501.602 Reports to be furnished on demand.  
501.603 Reports on blocked property.

## § 501.101

- 501.604 Reports by U.S. financial institutions on rejected funds transfers.
- 501.605 Reports on litigation, arbitration, and dispute resolution proceedings.
- 501.606 Reporting and recordkeeping requirements applicable to economic sanctions programs.

### Subpart D—Trading With the Enemy Act (TWEA) Penalties

- 501.700 Applicability.
- 501.701 Penalties.
- 501.702 Definitions.
- 501.703 Overview of civil penalty process and construction of rules.
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- 501.706 Prepenalty Notice; issuance by Director.
- 501.707 Response to Prepenalty Notice.
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- 501.709 Penalty Notice.
- 501.710 Settlement.
- 501.711 Hearing request.
- 501.712 Acknowledgment of hearing request.
- 501.713 Order Instituting Proceedings.
- 501.714 Answer to Order Instituting Proceedings.
- 501.715 Notice of hearing.
- 501.716 Default.
- 501.717 Consolidation of proceedings.
- 501.718 Conduct and order of hearings.
- 501.719 Ex parte communications.
- 501.720 Separation of functions.
- 501.721 Hearings to be public.
- 501.722 Prehearing conferences.
- 501.723 Prehearing disclosures; methods to discover additional matter.
- 501.724 Documents that may be withheld.
- 501.725 Confidential treatment of information in certain filings.
- 501.726 Motions.
- 501.727 Motion for summary disposition.
- 501.728 Subpoenas.
- 501.729 Sanctions.
- 501.730 Depositions upon oral examination.
- 501.731 Depositions upon written questions.
- 501.732 Evidence.
- 501.733 Evidence: confidential information; protective orders.
- 501.734 Introducing prior sworn statements of witnesses into the record.
- 501.735 Proposed findings, conclusions and supporting briefs.
- 501.736 Authority of Administrative Law Judge.
- 501.737 Adjustments of time, postponements and adjournments.
- 501.738 Disqualification and withdrawal of Administrative Law Judge.
- 501.739 Record in proceedings before Administrative Law Judge; retention of documents; copies.
- 501.740 Decision of Administrative Law Judge.

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- 501.741 Review of decision or ruling.
- 501.742 Secretary's designee's consideration of decisions by Administrative Law Judge.
- 501.743 Briefs filed with the Secretary's designee.
- 501.744 Record before the Secretary's designee.
- 501.745 Orders and decisions: signature, date and public availability.
- 501.746 Referral to United States Department of Justice; administrative collection measures.
- 501.747 Procedures on remand of decisions.

### Subpart E—Procedures

- 501.801 Licensing.
- 501.802 Decisions.
- 501.803 Amendment, modification, or revocation.
- 501.804 Rulemaking.
- 501.805 Rules governing availability of information.
- 501.806 Procedures for unblocking funds believed to have been blocked due to mistaken identity.
- 501.807 Procedures governing removal of names from appendices A, B, and C to this chapter.
- 501.808 License application and other procedures applicable to economic sanctions programs.

### Subpart F—Paperwork Reduction Act

- 501.901 Paperwork Reduction Act notice.

AUTHORITY: 18 U.S.C. 2332d; 21 U.S.C. 1901–1908; 22 U.S.C. 287c; 22 U.S.C. 2370(a); 31 U.S.C. 321(b); 50 U.S.C. 1701–1706; 50 U.S.C. App. 1–44; Pub. L. 101–410, 104 Stat. 890 (28 U.S.C. 2461 note); E.O. 9193, 7 FR 5205, 3 CFR, 1938–1943 Comp., p. 1174; E.O. 9989, 13 FR 4891, 3 CFR, 1943–1948 Comp., p. 748; E.O. 12854, 58 FR 36587, 3 CFR, 1993 Comp., p. 614.

SOURCE: 62 FR 45101, Aug. 25, 1997, unless otherwise noted.

### Subpart A—Relation of This Part to Other Parts in This Chapter

#### § 501.101 Relation of this part to other parts in this chapter.

This part sets forth standard reporting and recordkeeping requirements and license application and other procedures governing transactions regulated pursuant to other parts codified in this chapter, as well as to economic sanctions programs for which implementation and administration are delegated to the Office of Foreign Assets Control. Substantive prohibitions and policies particular to each economic

sanctions program are not contained in this part but are set forth in the particular part of this chapter dedicated to that program, or, in the case of economic sanctions programs not yet implemented in regulations, in the applicable executive order or other authority. License application procedures and reporting requirements set forth in this part govern transactions undertaken pursuant to general or specific licenses. The criteria for general and specific licenses pertaining to a particular economic sanctions program are set forth in subpart E of the individual parts in this chapter. Statements of licensing policy contained in subpart E of the individual parts in this chapter, however, may contain additional information collection provisions that require production of specified documentation unique to a given general license or statement of licensing policy.

[62 FR 52494, Oct. 8, 1997]

### Subpart B—Definitions

#### § 501.301 Definitions.

Definitions of terms used in this part are found in subpart C of the part within this chapter applicable to the relevant application, record, report, procedure or transaction. In the case of economic sanctions programs for which implementation and administration are delegated to the Office of Foreign Assets Control but for which regulations have not yet been issued, the definitions of terms in this part are governed by definitions contained in the implementing statute or Executive order.

### Subpart C—Reports

#### § 501.601 Records and recordkeeping requirements.

Except as otherwise provided, every person engaging in any transaction subject to the provisions of this chapter shall keep a full and accurate record of each such transaction engaged in, regardless of whether such transaction is effected pursuant to license or otherwise, and such record shall be available for examination for at least 5 years after the date of such

transaction. Except as otherwise provided, every person holding property blocked pursuant to the provisions of this chapter or funds transfers retained pursuant to § 596.504(b) of this chapter shall keep a full and accurate record of such property, and such record shall be available for examination for the period of time that such property is blocked and for at least 5 years after the date such property is unblocked.

NOTE: See subpart F of part 597 for the relationship between this section and part 597.

[62 FR 45101, Aug. 25, 1997, as amended at 62 FR 52494, Oct. 8, 1997]

#### § 501.602 Reports to be furnished on demand.

Every person is required to furnish under oath, in the form of reports or otherwise, from time to time and at any time as may be required by the Director, Office of Foreign Assets Control, complete information relative to any transaction, regardless of whether such transaction is effected pursuant to license or otherwise, subject to the provisions of this chapter or relative to any property in which any foreign country or any national thereof has any interest of any nature whatsoever, direct or indirect. The Director may require that such reports include the production of any books of account, contracts, letters or other papers connected with any such transaction or property, in the custody or control of the persons required to make such reports. Reports with respect to transactions may be required either before or after such transactions are completed. Except as provided in parts 596 and 597, the Director may, through any person or agency, conduct investigations, hold hearings, administer oaths, examine witnesses, receive evidence, take depositions, and require by subpoena the attendance and testimony of witnesses and the production of all books, papers, and documents relating to any matter under investigation, regardless of whether any report has been required or filed in connection therewith.

NOTE: See subpart F of part 597 for the relationship between this section and part 597.

[62 FR 45101, Aug. 25, 1997, as amended at 62 FR 52494, Oct. 8, 1997]